IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 2874 of 2007(P)

PETITIONER:

V.T.JOSE, S/O. THOMMAN, AGED 50 YEARS,
SENIOR CLERK, PARATHODE SERVICE CO-OPERATIVE
BANK LTD., NO.K.263, PARATHODE, IDUKKI DISTRICT.

BY ADV. SRI.JOHNSON P.JOHN
SRI.RAJUVADAKKEKARA
SRI.BABY MATHEW

RESPONDENTS:

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1. THE PARATHODE SERVICE CO-OPERATIVE BANK
LTD., REPRESENTED BY ITS SECRETARY.

2. THE PRESIDENT,
PARATHODE SERVICE CO-OPERATIVE BANK LTD.,
NO.K.263, IDUKKI.

BY ADV. SRI.P.C.SASIDHARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE SHOW CAUSE NOTICE DATED 15.1.2007.
EXHIBIT P2	TRUE COPY OF THE REPLY DATED 15.1.2007.
EXHIBIT P3	TRUE COPY OF THE SUMMONS DATED 21.11.2006.
EXHIBIT P4	TRUE COPY OF THE SUSPENSION ORDER DATED 17.1.2007

RESPONDENTS' EXHIBITS: NIL

K. PADMANABHAN NAIR, J.

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W.P(C). NO. 2874 OF 2007

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Dated this the 14th day of February, 2007

J U D G M E N T

Petitioner was working as the Senior Clerk in the first respondent Bank. He was placed under suspension as per Exhibit P4 order dated 17.1.2007. Challenging that order, this Writ Petition is filed. According to the petitioner allegations levelled against him is actuated by mala fides and he is placed under suspension only because of political rivalry. It is also contended that the only allegation is that there was delay in sending a Demand Draft and the delay occurred only because of the Hartal on 9.1.2007 and on 10.1.2007 he had to attend as witness before the Special Court at Thodupuzha. It was further submitted that Exhibit P4 order is silent regarding subsistence allowance.

2. Considering the facts of the case, I am of the view that petitioner has to raise all these matters before the Disciplinary Authority. So the Writ Petition can be disposed of a with a direction to respondents 1 and 2 to complete the disciplinary proceedings as expeditiously as possible.

In the result, Writ Petition is disposed of with a direction to respondents 1 and 2 to complete the disciplinary proceedings and pass appropriate orders within a period of six months from the date of receipt of a copy of this judgment. There will be a further direction to respondents 1 and 2 to claim and disburse the subsistence allowance due to the petitioner in accordance with the Rules so long as he is kept under suspension.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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. R.P. NO.

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O R D E R

4TH JANUARY, 2007